REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application. The Examiner has rejected claims 1, 5-13, and 17-21. The Examiner has objected to claims 2-4 and 14-16. Applicant respectfully requests reconsideration of pending claims 1-21.

Regarding the informalities noted by the Examiner in claims 1, 13, and 21, Applicant corrects the claims as directed by the Examiner. Applicant notes that, as can be seen from the Examiner's ability to provide specific instructions for correcting these informalities, there was no uncertainty or confusion as to the meaning and scope of the claims as originally filed, and the corrections to the informalities do not alter the meaning or scope of the claims and do not affect the patentability of the claims, but merely correct the noted informalities. Moreover, the terms "the end-point network switch" and "the end-point switch" have been used interchangeably in the specification, so the correction of claims 1 and 13 to consistently use the term "the end-point network switch" should not be considered to somehow distinguish "the end-point network switch" from "the end-point switch," but merely to maintain consistent terminology within the claims.

Regarding claims 1 and 13, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(e) with respect to the Bharucha reference (U.S. Patent No. 6,021,136). The cited reference fails to teach or disclose a "transparent link," as described in the specification of the present application. For example, on page 5, line 30, through page 6, line 2, the specification states that "intervening switches within the communication network will receive the messages...and pass them on to the end-point switches 14 and 18." Bharucha teaches away from such a "transparent link." Bharucha teaches, in column 3, lines 24-26, that "when a compressed voice call is initiated from location 12 to location 14, network 50 causes the compressed voice packets to bypass all the switches in the network 50." Thus, Applicant submits that Bharucha fails to anticipate the present invention, as set forth in claims 1 and 13. Therefore, Applicant submits that claims 1 and 13 are in condition for allowance.

Regarding claims 5 and 6, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(e) with respect to the Bharucha reference. Applicant notes that the Examiner refers to "Fig 3, Ref 3" as a database. However, no such reference numeral can be found in Fig. 3 of Bharucha. While Fig. 3 of Bharucha includes databases 70, 72, and 74, database 70 is described in column 3, lines 66, 67, as having "information on all locations coupled to network 50," such as "location 14 (the endpoint of the telephone call)" (column 3, lines 63,64). Thus, the database of Bharucha appears not to contain

connection information such as a data transport protocol or a network switch type, but rather information pertaining to locations outside of the network. Therefore, Applicant submits that claim 5 is in condition for allowance. As for claim 6, Applicant can find no evidence that obtains connection information comprising a network switch type, much less a network switch type further comprising the end-point network switch being capable of processing an enhanced traffic descriptor. Indeed, the "bandwidth" mentioned in column 4, line 17, as cited by the Examiner, does not include an identity of a data transport protocol of a sending or receiving party, as described in the specification, for example, at page 8, lines 23, 24. Thus, Applicant submits that claim 6 is in condition for allowance.

Regarding claim 7, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(e) with respect to the Bharucha reference. While the Examiner states that "Bharucha discloses the receiving party is a user (Fig 2, Ref 14)," reference numeral 14 is described in the specification as a "location." Thus, Applicant submits that claim 7 is in condition for allowance.

Regarding claims 8 and 17, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(e) with respect to the Bharucha reference. In the rejection of claim 1, the Examiner asserts Fig. 5, Ref. 58 as being the endpoint switch. However, for step 110 of Fig. 4, Bharucha states in column 3, lines 63-65 that "switch 54 determines whether location 14 (the endpoint of the telephone call) uses compressed voice technology." Thus, Bharucha cannot teach defaulting to service interworking translation when the end-point network switch is not capable of supporting the transparent link since the condition upon which the step cited by the Examiner (Fig. 4, step 120) depends relates to location 14, which is different from the element (Fig. 5, Ref. 58) that the Examiner has asserted to be the endpoint switch. Thus, Applicant submits claims 8 and 17 are in condition for allowance.

Regarding claims 9 and 10, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(b) with respect to the Amri reference (U.S. Patent No. 5,535,199). Applicant submits that Amri is non-analogous art in that it is directed to communication networks configured differently than those that pertain to the present invention. Amri fails to teach supporting a "transparent link," as described in the specification of the present application. For example, Amri fails to teach a link between the sending and receiving end-point network switches that does not transform the data transport protocol of the end-point network switches to a network data transport protocol. Rather, Amri appears to transform all communications to the X.25 protocol of PDN network 94. Thus, Applicant submits that claims 9 and 10 are in condition for allowance.

Regarding claims 11, 12, 20, and 21, Applicant respectfully disagrees with the rejection under 35 U.S.C. §102(b) with respect to the Amri reference. Amri fails to disclose appending a receiving enhanced traffic descriptor to a connection message. As described on page 5, lines 13 and 14, "the receiving party generates a connection message 30." Amri describes a remote system/DTE 160 that either returns a Call Clear packet 162 (col. 8, line 17) or a Call Accept packet 158 or 166 (col. 8, lines 11, 12 or 28, 29). Amri does not teach appending a receiving enhanced traffic descriptor to either the Call Clear packet or the Call Accept packet, nor does it teach producing a modified connection message. Thus, Applicant submits claims 11, 12, 20, and 21 are in condition for allowance.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current response. The attached page is captioned **"Version with markings to show changes made."**

In conclusion, Applicant has overcome all of the Office's rejections, and early notice of allowance to this effect is earnestly solicited. If, for any reason, the Office is unable to allow the Application on the next Office Action, and believes a telephone interview would be helpful, the Examiner is respectfully requested to contact the undersigned attorney.

Respectfully submitted,

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Version with markings to show changes made

1.   (Amended)   A method for adaptive service interworking, the method comprises the steps of:

a)   in response to receiving a set-up message from a sending party, obtaining connection information of an end-point network switch, wherein the set-up messages identifies a receiving party, and wherein the receiving party is operably coupled to the end-point <u>network</u> switch;

b)   interpreting the connection information to determine whether the end-point <u>network</u> switch is capable of supporting a transparent link between the sending party and the receiving party; and

c)   when the end-point <u>network</u> switch is capable of supporting the transparent link, supporting the transparent link between the sending party and the receiving party.

13.   (Amended)   A set-up processor comprises:

a processing module; and

memory operably coupled to the processing module, wherein the memory includes operating instructions that cause the processing module to (a) obtain

connection information of an end-point network switch in response to receiving a set-up message from a sending party, wherein the set-up messages identifies a receiving party, and wherein the receiving party is operably coupled to the end-point <u>network</u> switch; (b) interpret the connection information to determine whether the end-point <u>network</u> switch is capable of supporting a transparent link between the sending party and the receiving party; and (c) support the transparent link between the sending party and the receiving party when the end-point <u>network</u> switch is capable of supporting the transparent link.

21.   (Amended)   The set-up processor of claim [18]<u>20</u>, wherein the memory further comprises operating instructions that cause the processing module to convert the modified connection message based on a network protocol.